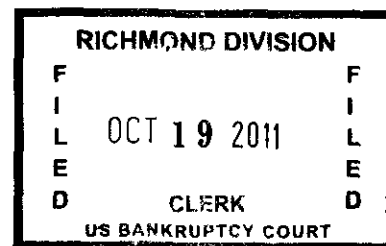


MOTION TO APPEAR BY TELEPHONE.txt  
IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION



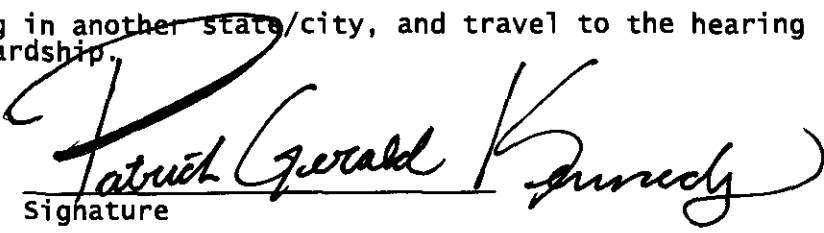
IN RE: CLAIM 4441 MOTION TO APPEAR BY TELEPHONE

Patrick Gerald Kennedy Petitioner Case No. 08-35653 KRH  
Division: Richmond Division

I, Patrick Gerald Kennedy, Petitioner in the above referenced case, request that the Court enter an order allowing my appearance by telephone for the hearing scheduled for October 19th, 2011 at 2:00pm on the grounds as follows.

☒ I am presently residing in another state/city, and travel to the hearing would create a financial hardship.

Date: Oct 13th, 2011

  
Signature

Patrick Gerald Kennedy

PO BOX 280281

Northridge, Ca 91328-0281

I hereby certify that a copy of the foregoing was ☐ hand delivered, or ☒ mailed by U.S. regular mail to the other party at the address listed below on this 13<sup>th</sup> day of October, 2011

Jeffrey N. Pomerantz  
Andrew W. Caine  
PACHULSKI STANG ZIEHL & JONES LLP  
10100 Santa Monica Blvd. 13th Floor  
Los Angeles, California 90067-4100

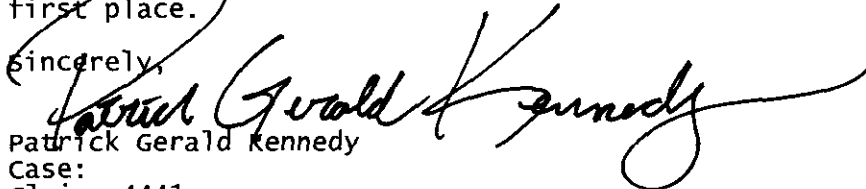
JUDGES CONSIDERATION.txt

Dear Honorable Judge Kevin R. Huennekens, October 13th, 2011  
RE: Case 08-35653 Claim: 4441

My name is Patrick Gerald Kennedy, and I am one of the current claimants in the Circuit City Bankruptcy case 08-35653. My claim 4441 is for unpaid wages, California State labor code violations and respective penalties. I originally filed with the D.L.S.E. (Department of Labor Standards and Enforcement) in 2008 and had to re-file with the Bankruptcy courts when Circuit City filed for Bankruptcy in 2009. It has been several years now and my claim has still not been resolved. Opposing counsel has repeatedly objected to my claim and others like it just for the sake of objecting and are essentially playing the numbers or waiting game. Hoping that if they object enough times, that the vast majority of claimants will either forget to continually re-submit the necessary paperwork or simply miss the deadline for submitting said paperwork (Because of the sheer volume of objections, the odds are in their favor). I currently reside in Southern California and unfortunately cannot appear in person to give testimony or present my case personally. As such I have turned in a motion to appear by phone on October 19th, 2011 for the 2pm hearing. I just wanted to make it clear to your Honor and the court that I do not plan to ever give up my claim or withdraw at any point, nor settle for less than the full amount of my submitted claim. I submitted my claim in a timely manner and have followed all guidelines and procedures for said claim to the best of my ability, as well as submitted all the necessary information, evidence and documentation to support my claim. I wanted to make my all of this clear ahead of time, just in case my phone call is dropped or lost when I attempt to appear by phone later on in the month. Hence if there is indeed a problem, I hope that this letter will serve as support for my interests in this matter. I am not a lawyer so I do not know the intricacies of the law or legal system, but I humbly request that your honor please limit the number of times opposing counsel gets to object to my claim or simply pass a ruling. Otherwise it looks like my claim could drag out for years upon years. Which is what I suspect opposing counsel is trying to do. I thank you for your time and effort on my behalf. If you have any questions or concerns about my claim, please do not hesitate to contact me. Thank you.

P.S. I know that a co worker of mine, Melissa Gillard who also filed a similar claim, would like to appear by telephone if necessary or if possible as well. Neither one of us is 100% sure we have to appear/testify by phone/in person in the first place.

Sincerely,



Patrick Gerald Kennedy  
Case:  
Claim: 4441  
PO BOX 280281  
Northridge, Ca 91328-0281  
Cell: (818) 793-6643  
Email: patgenken@yahoo.com